

REMARKS

Claims 100, 108, 116, and 124 are amended, and no claims are cancelled or added. Thus, Claims 100-131 are pending in the application. The amendments to the claims do not introduce any new matter.

I. SUBMITTED PTO FORM 1449 NOT ACKNOWLEDGED BY EXAMINER

The Applicant filed an Information Disclosure Statement with PTO Form 1449 on August 15, 2007, but Applicant has not received an initialed PTO Form 1449 to acknowledge receipt and consideration of the references. Applicant therefore respectfully requests that the Examiner kindly initial and supply a copy of the initialed PTO Form 1449 with the next communication.

II. SUMMARY OF EXAMINER INTERVIEW

On July 8, 2010, Applicant's representatives, Deborah Caswell and Marcel Bingham, met via teleconference with Examiner Harper to discuss proposed amendments to Claim 100. Although no specific agreement was reached, the Examiner gave positive feedback that the proposed amendments should help further prosecution in this case. Examiner is thanked for a productive interview.

III. ISSUES RELATED TO THE PRIOR ART – SECTION 103 – *SALAZAR AND THOMSON*

Claims 100-131 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Salazar* (US 2005/0131970) in view of *Thomson* (US 2004/0034615). The rejection is respectfully traversed.

Claims 100 and 116

Claims 100 and 116 each recites in part:

*“wherein said **source database metadata identifies a set of tablespaces that store data for the one or more database objects to be transported, and said set of tablespaces is in a format that is understandable by the target database;**”*

Neither *Salazar* nor *Thomson* teaches or suggests the quoted feature.

The Office Action relies on the passage at paragraph [0030] of *Salazar* to allegedly teach “a target database system incorporating a tablespace holding data for at least one of said one or more database objects.” Although paragraph [0030] mentions loading data into the target DBMS, there is no mention of incorporating a tablespace. It would not be reasonable for a person of ordinary skill in the art to assume that loading data into a database includes incorporating a tablespace. However, even if it were reasonable to make such an assumption, *Salazar* certainly does not disclose or in any way suggest that the source database identifies a set of tablespaces that are in a format that is understandable to the target database. Quite to the contrary, most of *Salazar*’s technique involves applying transformations to the data that is extracted from the source database so that the target database can interpret the data, because the format of the data in the source database is not understandable to the target database.

Thomson does not, nor is it alleged to teach the quoted feature. There is no mention of tablespaces in *Thomson*, nor is there any other equivalent structure in *Thomson* that teaches or suggests the quoted feature.

Also, Claims 100 and 116 each recites in part:

*“a target database system incorporating a copy of said set of tablespaces that store said data for at least one of said one or more database objects, wherein incorporating said copy of said set of tablespaces includes **modifying the target database metadata to define said copy of said set of***

tablespaces as a set of tablespaces that are used to store said data for at least one of said one or more database objects.”

No combination of *Salazar* and *Thomson* teaches or suggests the quoted feature.

Salazar does not describe modifying target database metadata to define the set of tablespaces that store the data for the incoming database objects. *Salazar* does not mention tablespaces at all. There is also no mention of modifying target database metadata to define a set of tablespaces, much less to define a copy of tablespaces from the source database that stores a copy of the data for one or more database objects.

Applicant has identified several features of Claims 100 and 116 that are not taught or suggested by *Salazar* and *Thomson*, alone or in combination. Therefore, Claims 100 and 116 are patentable under 35 U.S.C. §103(a) over the combination of *Salazar* and *Thomson*. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 108 and 124

Claims 108 and 124 recite features that are very similar to the quoted features of Claims 100 and 116:

“wherein said source database metadata identifies a set of tablespaces that store data for the one or more database objects to be transported, and said set of tablespaces is in a format that is understandable by the target database;”

This claim feature is identical to a claim feature in Claims 100 and 116 that was shown above to be patentable over *Salazar* and *Thomson*.

“modifying said target database metadata to define a copy of said set of tablespaces as a set of tablespaces that are used to store said data for at least one of said one or more database objects.”

This claim feature is very similar to the claim feature recited in Claims 100 and 116. Neither *Salazar* nor *Thomson*, and thus, no combination thereof, describes modifying target database metadata to define a copy of tablespaces to be the set of tablespaces that

are used to store data for one or more database objects. The Office Action states that Claims 108 and 124 are rejected for the same reasons as for Claims 100 and 116. Thus, the arguments given above that traverse the rejection of Claims 100 and 116 also traverse the rejection of Claims 108 and 124. Therefore, Claims 108 and 124 are each patentable under 35 U.S.C. §103(a) over the combination of *Salazar* and *Thomson*. Reconsideration and withdrawal of the rejection is respectfully requested.

Dependent Claims

Each of the claims not discussed thus far is directly or indirectly dependent on one of the independent claims that have been shown above to be patentable over the combination of *Salazar* and *Thomson*. The dependent claims are patentable over the combination of *Salazar* and *Thomson* for at least the same reasons as for their independent base claim by virtue of their dependency. Therefore, each of the dependent claims is patentable under 35 U.S.C. §103(a) over the combination of *Salazar* and *Thomson*. Reconsideration and withdrawal of the rejection is respectfully requested.

In addition, each of the dependent claims introduces one or more additional features that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not included at this time.

IV. CONCLUSION

For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

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